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April 7, 2006

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Review Of The Spectrum Sharing Plan Among Non-Geostationary Orbit
Mobile Satellite Service Systems In The 1.6/2.4 GHz Bands, IB Docket
No. 02-364**

Dear Ms. Dortch:

Globalstar, Inc. ("Globalstar") submits this response to the recent *ex parte* submission by Iridium Satellite LLC ("Iridium") in the above-referenced proceeding,^{1/} in which Iridium has requested access to additional spectrum that is reserved for use by Globalstar.^{2/}

Summary

Iridium's latest filing, like its previous ones, is empty of any technical showing that Iridium is using the spectrum the Commission required Globalstar to share with it in 2004 – let alone that it requires access to the additional spectrum it now seeks.^{3/} Nothing in Iridium's

^{1/} Globalstar is aware that the Commission recently issued a public notice indicating that it will be considering matters related to spectrum sharing among MSS and other operations in the 2495-2500 MHz band that are also raised in IB Docket No. 02-364 at its Open Meeting on April 12, 2006. See "Commission Meeting Agenda – FCC To Hold Open Commission Meeting Wednesday, April 12th, 2006," (rel. Apr. 5, 2006). Inasmuch as the Commission has severed the S-band sharing issues from the L-band sharing issues, this communication is not prohibited under the Commission's *ex parte* rules, 47 C.F.R. §1.1203.

^{2/} See *Ex Parte* Presentation of Iridium Satellite LLC in IB Docket No. 02-364 (filed Mar. 24, 2006) ("March 24th Letter").

^{3/} See, Petition for Reconsideration of Globalstar LLC, filed in IB Docket No. 02-364, ET Docket No. 00-258 (filed Sept. 8, 2004); Reply of Globalstar LLC to Opposition of Iridium Satellite LLC to Petition for Reconsideration of Globalstar LLC, filed in IB Docket No. 02-364, ET Docket No. 00-258 (filed Nov. 10, 2004); Joint Reply Comments of L/Q Licensee, Inc.,

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March 24th Letter suggests that there have been any changes since 2004 that bolster Iridium's renewed request for access to more of Globalstar's spectrum.

Iridium correctly notes that the failures of the terrestrial wireless and wireline telecommunications infrastructures during the recent hurricanes in the Gulf Coast highlight the importance of MSS services for disaster response. But the success of MSS services – including, significantly, Globalstar's – does nothing to support Iridium's request for access to spectrum reserved for another MSS provider. Iridium suggests that it is somehow uniquely positioned to meet the demands of emergency responders, but the asserted advantages of Iridium's system are highly controvertible and in any event irrelevant to its asserted need for additional spectrum. Equally irrelevant are the steps that Iridium says it would like to take to prepare customers to utilize its services better in the next emergency – steps that Globalstar is also taking and that have no connection to Iridium's request for access to additional spectrum.

The Commission must reject Iridium's most recent efforts to gain additional spectrum that it does not require – a strategy that is all-too-similar to its efforts following the conflict in the Middle East. Rejection of Iridium's request will ensure that Globalstar's already reduced spectrum allocation will remain intact so that Globalstar can continue to meet the needs of its critical first responder and other public safety customers.

1. Iridium's Latest Filing Fails To Provide Any Technical Showing of a Need For Additional Spectrum.

Iridium states that “[p]roviding Iridium access to...additional spectrum will help the Commission achieve important public safety goals expressed recently by Chairman Martin and all of the FCC Commissioners” by ensuring “that there is adequate spectrum available for users of Iridium's mobile satellite services in the event of an emergency.”^{4/} Iridium also makes the wholly unsupported suggestion that, “[w]ith additional fulltime access [to Globalstar's spectrum], Iridium can provide even more effective communications services and our nation will not only be better prepared for the next emergency, but, will have enhanced military capabilities.”^{5/} Glaringly absent from these assertions is any technical showing on the part of Iridium to support its purported need for any additional spectrum. Indeed, as has been the case throughout this proceeding, Iridium fails to provide any factual demonstration that it is even using the spectrum the Commission required Globalstar to share with it in 2004, let alone that it has any need for additional spectrum to meet its customers' needs.

Globalstar, L.P., and Globalstar USA LLC, filed in IB Docket 02-364, Att. A, Technical Analysis (filed July 25, 2003).

^{4/} March 24th Letter at 1-2.

^{5/} *Id.*

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Iridium's only "technical" data merely show that, as expected, Iridium's call volume increased in the Gulf Coast region after Hurricane Katrina made landfall.^{6/} Iridium makes no attempt to show how this increased call volume compares to its system capacity or whether it needed to use the additional spectrum to which it was granted access via special temporary authority ("STA") following the Gulf hurricanes.

In contrast to Iridium's complete lack of technical showings as to why it requires additional spectrum, Globalstar's un rebutted technical submissions in this proceeding make clear that Iridium is not fully utilizing the spectrum to which it already has access, and that its asserted need for additional spectrum is sporadic, if it exists at all.^{7/} Indeed, the Commission concluded as much when it decided to limit the amount of spectrum Globalstar must share with Iridium to 3.1 MHz (1618.25-1621.35 MHz). Specifically, the Commission stated that it would not take additional "spectrum from a competitor [Globalstar] on a worldwide basis for what appears to be a sporadic and geographically-based need" for spectrum by Iridium.^{8/} Iridium has requested and has promptly received grants of STAs in the past to address its asserted short-term, disaster-driven needs for more spectrum during the recent Gulf War and in the aftermath of the Gulf hurricanes.^{9/} Nothing has changed since Iridium operated under these STAs that would now

^{6/} See March 24th Letter at Exhibit A. Globalstar likewise experienced a significant increase in call volume following Hurricane Katrina – in an increase of approximately 500%. See Statement of James Monroe III, Chairman and Chief Executive Officer, Globalstar, to the Independent Panel Reviewing the Impact of Hurricane Katrina, Mar. 6, 2006, *available at* www.fcc.gov/eb/hkip/GSpeakers060306/ACT1050.pdf (last visited Apr. 5, 2006); Globalstar LLC, Supplemental Information provided to the Independent Panel Reviewing the Impact of Hurricane Katrina, Mar. 16, 2006, *available at* www.fcc.gov/eb/hkip/GSpeakers060306/ACT1052.pdf (last visited Apr. 5, 2006).

^{7/} See Petition for Reconsideration of Globalstar LLC, filed in IB Docket No. 02-364, ET Docket No. 00-258 (filed Sept. 8, 2004) (showing that "actual usage on the Iridium system indicates that Iridium is currently using less than 5% of its available spectrum in the Continental United States" and "availability of more spectrum (CDMA Channels 8 and 9) in the Middle East did not increase Iridium's capacity"); Reply of Globalstar LLC to Opposition of Iridium Satellite LLC to Globalstar Petition for Reconsideration, filed in IB Docket No. 02-364, ET Docket No. 00-258, Technical Appendix (filed Nov. 10, 2004) (providing data revealing that *no* Iridium carriers were found in the shared frequencies).

^{8/} See Report and Order, Fourth Report and Order and Further Notice of Proposed Rulemaking, *Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands*, 19 FCC Rcd. 13356, 13377-78 ¶ 47 (2004) ("Sharing Order").

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suggest that Iridium needs increased spectrum on a full-time basis. To the contrary, Globalstar fully cooperated with Iridium to ensure that it had access to additional spectrum in the immediate aftermath of the hurricanes, and stands ready and willing to do so if needed in the future.^{10/}

2. Iridium Attempts To Capitalize On The Disaster Services Provided By All MSS Operators Including Globalstar.

Iridium states in its filing that, because certain “first responders, consumers, and the press recognized the public safety benefits provided by Iridium mobile satellite phones” during the recent hurricanes, the Commission should force Globalstar to share yet more of its spectrum with Iridium.^{11/} Iridium also suggests that it should be granted additional spectrum because it “has received orders for over 10,000 satellite phones since Hurricane Katrina devastated the Gulf Region.”^{12/} First and foremost, these supposed endorsements of Iridium’s services in fact are either endorsements of MSS services in general, or also discuss the valuable services provided by Globalstar.^{13/} Moreover, to the extent that these general accolades for MSS services

^{9/} See, e.g., Order, *Request for Special Temporary Authorization of Iridium Constellation, LLC and Iridium, US LP*, DA 03-1949, File No. SAT-STA-20030609-00100, Sat. Div. Int’l Bur. (rel. June 16, 2003). As Globalstar has repeatedly pointed out, Iridium has *never* made a factual showing that its spectrum is not adequate to meet demand for its services.

^{10/} Iridium has thus far indicated no interest in engaging Globalstar in discussions leading to a shared spectrum coordination agreement.

^{11/} March 24th Letter at 2.

^{12/} *Id* at 3.

^{13/} See Sarmid Ali, *Reliable Connections Broaden Demand for Satellite Phones*, WALL ST. J., Nov. 3, 2005, at B1; Tony Trujillo, *Intelsat Senior Executive Testifies Before U.S. House of Representatives on Importance of Satellites in Disaster Recovery*, WIRELESS AND SATELLITE BROADCASTING NEWSLETTER, Sept. 1, 2005, at 9 (both cited in note 7 of March 24th Letter). Iridium cites a letter from a fire department official in Louisiana specifically acknowledging Iridium’s service. March 24th Letter at 3. Iridium fails to note that the Governor of Mississippi has commended Globalstar for its services in the Gulf disaster and has stated that Globalstar handsets will henceforth be part of the state’s disaster response equipment. See Letter from Haley Barbour, Governor of Mississippi, to Chairman Kevin J. Martin, Federal Communications Commission (Dec. 21, 2005). Globalstar also received a letter from President George W. Bush thanking the company for its contributions in the wake of the Gulf Coast hurricanes. Letter from President George W. Bush to Globalstar (Nov. 21, 2005). Again, both Iridium’s and Globalstar’s services showed how valuable MSS services can be for disaster response. That in no way supports a transfer of spectrum from one company to the other.

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encompass Iridium's services as well as Globalstar's, they do nothing to remedy Iridium's failure to show that it is using all of the spectrum to which it now has access, that any future localized or temporary need could not be met via STA as in the past, or that additional sharing would not unduly harm Globalstar.

Following Hurricane Katrina, the Commission chartered its Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (the "Panel").^{14/} Interested persons were invited to contribute written comments before the Panel's first meeting on January 30, 2006. Globalstar submitted written, substantive comments. The Panel invited written comments before its second meeting on March 6. Not only did Globalstar prepare and submit written testimony, its chairman and chief executive officer traveled to Jackson, MS, to deliver the testimony in person.^{15/}

In addition to the record thus far accumulated by the Panel, other public records unequivocally refute Iridium's implication that it was the only or even the principal MSS provider meeting the needs of first responders and other public safety officials after last summer's hurricanes. The press and public officials have recognized the immense value of Globalstar's services in meeting the communications needs created by those disasters, when Globalstar provided uninterrupted voice and data communications services to federal, state, and local public safety officials in the affected areas.^{16/} For example, during and after the hurricanes, Globalstar's MSS system remained operational and Globalstar customers, many of whom are first responders and state and federal emergency response agencies, were able to maintain vital communications links. Whereas Iridium states that it has "received orders for over 10,000

^{14/} See Notice of Appointment of Members To Serve On FCC'S Independent Panel Reviewing The Impact Of Hurricane Katrina On Communications Networks; And Independent Panel's First Meeting Scheduled For January 30, 2006, Public Notice, DA 06-57 (rel. Jan. 12, 2006).

^{15/} See *supra* note 5.

^{16/} See, e.g., *Crisis on the Gulf Coast: When Satellite Was the Only Game in Town*, VIA SATELLITE, Jan. 2, 2006 ("Globalstar doubled its capacity to make calls to landline phones, increased its active spectrum allocation via special temporary authorities granted by the U.S. Federal Communications Commission (FCC), and allocated gateway coverage footprints to increase capacity in the affected area to manage the unprecedented surge in users"); Paul Davidson, *Satellite Phones Provide Critical Link to Outside World*, USA TODAY, Sept. 6, 2006 (noting that Globalstar "sold more than 11,000 phones and leased 1,000 more" immediately following Hurricane Katrina); *Satellite Phones Critical to Katrina Relief Efforts*, SATELLITE WEEK, Sept. 5, 2006 (noting that Globalstar saw "increased usage...from response agencies at all levels" in the aftermath of the hurricanes).

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phones since Hurricane Katrina,”^{17/} Globalstar provided more than 10,000 additional handsets to public safety officials (including FEMA and the governors’ offices in Louisiana and Mississippi) in the first weeks after the storms alone, and continues to fill additional orders.^{18/} Without Globalstar service, many state and federal agencies would have been left without any communications links in the wake of these storms.

The effectiveness of Globalstar’s services in those stressed conditions was due not only to the fact that – like any MSS system – Globalstar’s satellite constellation is unaffected by ground-based disasters that can disrupt terrestrial services, but also to the reliability of Globalstar’s products, distribution channels, and customer service. Not surprisingly, as noted below, a significant and increasing number of Globalstar’s customers are federal agencies and public safety entities that have chosen Globalstar to meet their communications needs because they recognize Globalstar’s reliability as a service provider. State and local governments are now seeking to ensure that Globalstar’s satellite phones are made an essential component of their emergency response plans.^{19/}

Globalstar does not seek to denigrate the role that Iridium played during the hurricanes in the Gulf Coast. However, the Commission must understand, first, that Globalstar played an equal or greater role, and, second, that Iridium’s response to the hurricanes has absolutely no bearing on the issues in this proceeding.

3. Iridium’s Assertions About the Technical Superiority of Its System Are Highly Controvertible and Irrelevant to Its Request for Access to More of Globalstar’s Spectrum.

Iridium states that “it is the only provider that can meet the Commission’s call for spotless MSS coverage,” because only it “can provide communications services over every landmass and body of water on the planet.”^{20/} As an initial matter, that assertion is palpably

^{17/} March 24th Letter at 3.

^{18/} Globalstar has placed specific information in the record of the Panel. *See* Globalstar LLC Supplemental Information provided to the Independent Panel Reviewing the Impact of Hurricane Katrina, Mar. 16, 2006, *available at* www.fcc.gov/eb/hkip/GSpeakers060306/ACT1052.pdf (last visited Apr. 5, 2006).

^{19/} *See, e.g.,* Letter from Haley Barbour, Governor of Mississippi, to Chairman Kevin J. Martin, Federal Communications Commission (Dec. 21, 2005) (“As a result of Globalstar’s performance [during Hurricane Katrina], [Globalstar’s] satellite phones are now a part of the State Emergency Response Team deployment package for future emergencies.”).

^{20/} March 24th Letter at 5.

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irrelevant to the question whether the Commission should grant Iridium access to more of Globalstar's spectrum in order to meet the needs of first responders and other public safety officials *within the United States*. Globalstar's satellite signal, like Iridium's, is available worldwide. While Globalstar service is currently unavailable in a few parts of the world because of the absence of a necessary gateway,^{21/} that in no way compromises the use of Globalstar's services in responding to disasters *in the United States*, which is the only issue before the Commission. Far more significant is the fact that, while Iridium's satellite signal is theoretically available everywhere, Iridium is technically incapable of ensuring that its services will be available in any location where there is not a direct view of at least one of its satellites (for example, inside buildings and in urban canyons). Indeed, the Commission itself acknowledged as much in rejecting Iridium's request for additional spectrum on which to provide ATC-like services.^{22/}

By contrast, Globalstar is one of only two MSS providers (with Mobile Satellite Ventures) to have received authority from the Commission to incorporate an Ancillary Terrestrial Component ("ATC") into its MSS system. By offering ATC along with its existing MSS services, Globalstar will better serve its existing customers and meet additional, unmet needs for integrated satellite-terrestrial services with single-number convenience that will be especially useful for subscribers who travel in both urban and rural areas. ATC will enable Globalstar to improve the quality and availability of its services in urban areas that currently are not served by *any* MSS provider – including Iridium – because buildings and other structures block line-of-sight signal paths to satellites. As Globalstar has demonstrated, its existing satellite

^{21/} Globalstar has recently enhanced its service coverage and capacity in the United States by constructing and applying to operate new gateways in Wasilla, Alaska and Sebring, Florida (which currently operates under STA).

^{22/} See Report and Order and Notice of Proposed Rulemaking, *Flexibility for Delivery of Communications By Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands*, 18 FCC Rcd 11030 at ¶ 63 (2003). As the Commission stated:

Although Iridium itself may not be able to integrate a terrestrial component into its particular MSS system because of its historic choice of system technology, many other MSS licensees...have demonstrated that they can do so....In fact, Iridium appears far less concerned with monopolization of the MSS bands than with advancing its position that, unless the Commission can find a way of allowing Iridium to exploit the operational efficiencies, enhancements and other advantages that MSS ATC may offer, the Commission must prevent all other MSS licensees from trying to improve the efficiency of their respective MSS systems through deploying ATC. We, however, refuse to impose the same operational limitations on Commission licensees through regulation that Iridium has imposed on itself through its system design choices. *Id.*

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constellation is already capable of providing such services,^{23/} and, once deployed, Globalstar's ATC base stations and dual-mode MSS/ATC terminals will be fully functional *anywhere* in the United States to meet the communications needs of public safety, law enforcement, and emergency-response organizations. Furthermore, Globalstar will be able to deploy transportable base stations that will provide communications to areas impacted by disasters on an as-needed basis. In contrast to the extensive value that Globalstar's MSS/ATC services will provide to first responders and other public safety personnel *in any environment anywhere in the country*, Iridium's choice of system design prevents it from providing ATC services using its existing satellite constellation.

Iridium also suggests in its filing that "Iridium operates a more robust and redundant system" because "other MSS providers must rely on Earth stations that are located in or near an impacted area for their systems to be fully operational."^{24/} That statement too is highly controvertible and irrelevant to Iridium's request for access to more of Globalstar's spectrum. It is certainly true that Globalstar's MSS system is designed to operate in conjunction with a number of earth stations. Far from compromising Globalstar's ability to provide reliable service, this system design gives Globalstar the ability to be cost effective, to upgrade easily as terrestrial technology evolves, and to focus its capacity dynamically to an area that has suffered a natural disaster or other emergency – as it did in the wake of the Gulf hurricanes.^{25/} Iridium cannot reassign communications channels locally or regionally as needed. The use of multiple gateways also provides valuable redundancy – for example, Globalstar could provide service to the Gulf region via either its Florida or its Texas gateway in the event that either was temporarily impaired.

^{23/} Globalstar already has proven the ease with which ATC service can be integrated into its MSS system in a series of demonstrations in New York and Washington in the Summer of 2002 conducted pursuant to its ATC experimental license (Call Sign WC2XXD). In those demonstrations, Globalstar used a transportable base station no larger than a suitcase and modified Telit 550 dual mode Globalstar/GSM phones to enable demonstration participants to place calls anywhere in the world through the base station into the public switched telephone network.

^{24/} See March 24th Letter at 4-5.

^{25/} Globalstar's ability to shift capacity was proven in the aftermath of Hurricane Katrina, when Globalstar increased the capacity of its gateway in Texas to help carry the more than 500-percent increase in call volume that resulted as large numbers of Globalstar's customers used their phones, and many new customers sought access to Globalstar's services. See Statement of James Monroe III, Chairman and Chief Executive Officer, Globalstar, to the Independent Panel Reviewing the Impact of Hurricane Katrina, Mar. 6, 2006, *available at* www.fcc.gov/eb/hkip/GSpeakers060306/ACT1050.pdf (last visited Apr. 5, 2006).

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But Iridium's invitation to debate the merits of its and Globalstar's system designs is simply beside the point. Both MSS systems have a valuable role to play when terrestrial communications are impaired. Both have done so, and both will do so again. Any supposed advantages of either system in one or another hypothetical situation have no bearing on Iridium's request for access to more of Globalstar's spectrum.

4. Iridium Has Failed To Demonstrate That More Spectrum Will Enable It Better To Position Itself to Provide Service in a Future Emergency.

Iridium argues that granting it fulltime access to yet more of Globalstar's spectrum would serve the public interest better than meeting any future need Iridium may conceivably have for additional spectrum on an as needed basis via STA, as was done in the past.^{26/} In support of that argument, Iridium suggests (with absolutely no technical showing in support) that "[f]ulltime access should result in more satellite phones being deployed before disasters strike, greater familiarity with how satellite phones operate, recovery plans that do not rely exclusively on terrestrial communications, and ultimately less disaster-related loss."^{27/} That is illogical. Globalstar has already taken steps to ensure that its phones are more widely distributed and to educate users on the operation of satellite telephones, in order to facilitate their use in a future emergency and to avoid some of the problems that occurred last year as a result of users' unfamiliarity with satellite phones. It would make sense for Iridium to do the same. But Iridium's doing so in no way depends on Iridium's being awarded access to more of Globalstar's spectrum. There is simply no connection.

5. Forcing Globalstar To Share More Of Its Spectrum With Iridium Would Threaten Globalstar's Ability To Continue To Meet The Vital Needs Of Its Own Public Safety and Federal Government Customers.

Iridium asserts that, "[o]f all the MSS providers, Iridium has the largest contract with military users."^{28/} If that is meant to suggest that only Iridium significantly serves first responders and other public agencies, such an inference is wholly incorrect. Although the U.S. military is by far Iridium's predominant customer, Globalstar provides essential services to an extensive and growing list of Federal, state, and local public safety agencies (not to mention a fast-growing base of non-governmental customers), all of whom recognize the value of Globalstar's services to meet their communications needs. Among other federal agencies, for example, Globalstar currently provides service to:

^{26/} See March 24th Letter at 6.

^{27/} *Id.*

^{28/} March 24th Letter at 6.

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U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Federal Emergency Management Agency
U.S. Secret Service
U.S. Federal Bureau of Investigation
U.S. Customs Service and Border Protection
U.S. Drug Enforcement Administration
U.S. Department of Defense
Northern Command
The Army National Guard
U.S. Coast Guard
U.S. Marine Corps
National Security Agency/Central Security Service
Federal Bureau of Prisons
Defense Intelligence Agency
U.S. Department of State
U.S. Environmental Protection Agency
Federal Aviation Agency
National Aeronautics and Space Administration
U.S. Department of Transportation
U.S. Department of Health and Human Services
U.S. Dept of the Interior
U.S. Department of Transportation Federal Highway Administration
National Nuclear Security Administration

As Globalstar's pleadings in this and other proceedings make clear,^{29/} Globalstar is fully utilizing its assigned spectrum to meet these customers' needs. If the Commission were to require that Globalstar share still more of its spectrum with Iridium, Globalstar's ability to serve these and other customers would suffer.

Globalstar's spectrum *already* is heavily encumbered, and thus any further sharing requirements would force an inequitable hardship not only on Globalstar, but, more importantly, on the many local, state, and federal public safety officials that increasingly have come to rely on Globalstar's services. As the Commission made clear in *rejecting* Iridium's prior efforts to gain additional spectrum:

^{29/} See Petition for Reconsideration of Globalstar LLC, filed in IB Docket No. 02-364, ET Docket No. 00-258 (filed Sept. 8, 2004); Reply of Globalstar LLC to Opposition of Iridium Satellite LLC to Petition for Reconsideration of Globalstar LLC, filed in IB Docket No. 02-364, ET Docket No. 00-258 (filed Nov. 10, 2004); Comments of Globalstar LLC, filed in IB Docket 05-220, (filed July, 13 2005); Comments Globalstar LLC, filed in IB Docket No. 05-221 (filed July 29, 2005).

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Iridium fails to persuade us that disproportionate amounts of spectrum in the Big LEO bands prevent Iridium from providing competitive services or that Iridium's alleged competitive disadvantage justifies allocating the same amount of spectrum to TDMA and CDMA MSS operators. Indeed, we are not convinced that such "spectrum parity" in the Big LEO bands will better serve the public interest. As noted above, the spectrum within the L-band is not equally encumbered. If the Commission implemented "spectrum parity" on a pure megahertz-per-party basis, it would ignore the significant encumbrances that exist in the lower portion of the L-band due to RAS operations in that band as well as GPS receivers in the adjacent band.^{30/}

The force of that Commission finding does not go away simply because Iridium chooses to ignore it. No one denies the invaluable role that MSS services can play in the event of natural or manmade disasters; the Commission was correct in acknowledging recently that "satellite technologies can provide first responders with valuable services during emergencies."^{31/} The Commission was equally correct in concluding that implementing "'spectrum parity' on a pure megahertz-per-party basis" would ignore the encumbrances on Globalstar's spectrum and would unjustifiably impair Globalstar's ability to provide its valuable services. Iridium's March 24th Letter, which simply ignores that finding, provides absolutely no basis for reversing it.

Conclusion

Iridium's March 24th Letter provides no basis for its renewed request for access to more of Globalstar's spectrum. MSS services have proven their value to the public safety community during times of emergency, as Iridium asserts and as the Commission and others have found. They will continue to do so if the Commission once again rejects Iridium's factually unsupported request for access to yet more of the already encumbered spectrum that Globalstar uses to serve its public safety and other customers.

Respectfully Submitted,



William T. Lake
Counsel to Globalstar, Inc.

^{30/} *Sharing Order* at 13378 ¶ 49.

^{31/} March 24th Letter at 2 (citations omitted).

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cc (via email): Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Fred Campbell
Barry Ohlson
Aaron Goldberger
John Giusti
Bruce Gottlieb
Donald Abelson
Howard Griboff